

REMARKS

Claims 57-76 have been canceled. In order to expedite prosecution, new claims 77-87 have been introduced to correspond with the claims of European counterpart patent EP 1 168 285 that have been recently upheld in an opposition proceeding. An English translation of the Interlocutory Decision in opposition proceedings of August 28, 2007 is provided in the Appendix.

Accordingly, claims 77-87 are now pending in this application. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

The following chart illustrates a mapping of the pending claims to the upheld EP patent claims translated in English, in addition to representative supporting sections of the present specification and original claims. Accordingly, there are no issues of new matter. The claims are not limited to the representative embodiments disclosed on the referenced pages.

PENDING US CLAIMS	UPHELD EPO CLAIMS	REPRESENTATIVE SPECIFICATION AND ORIGINAL CLAIMS SECTIONS
<p>77. A wall mirror with a non-reflective portion provided within a reflective surface of the mirror as an information provider, and a frame having a flat frame structure,</p> <p>wherein at least a portion of the mirror surface is clear as glass or totally transparent and is backed by a flat screen or a color display, the flat screen or the display being provided with a moving image, the flat screen or the display being attached to the frame, and wherein</p> <p>the mirror surface is part of a mirror insert which is associated with the frame to form a closed mirror interior, or</p> <p>the mirror surface is part of a mirror attachment which is fitted onto the frame to form a closed mirror interior.</p>	<p>1. A wall mirror with a non-reflective portion provided within its reflective surface as an information provider, and a frame having a flat frame structure,</p> <p>wherein at least a portion of the mirror surface is clear as glass or totally transparent and is backed by a flat screen or a color display, the flat screen or the display being provided with a moving image, the flat screen, or the display, being attached to the frame, and wherein</p> <p>the mirror surface is part of a mirror insert which is associated with the frame forming a closed mirror interior, or</p> <p>the mirror surface is part of a mirror attachment, and same is fitted onto a frame to form a closed mirror interior.</p>	<p>specification: page 1, lines 1-2; page 2, lines 1-5, 8-11, 15; page 4, lines 13-14, 16-22; page 5, lines 21-24</p> <p>original claims: 1, 2, 4, 10, 11, 13</p>
<p>78. The mirror according to claim 77 wherein the flat screen or the display employs TFT or plasma or hologram technologies.</p>	<p>2. The mirror according to claim 1 wherein the flat screen or the display employs TFT or plasma or hologram technologies.</p>	<p>specification: page 2, lines 15-19</p> <p>original claims: 5, 6</p>

79. The mirror according to claim 77 wherein behind the mirror surface at least one loudspeaker is connected to the flat screen or the display.	3. The mirror according to claim 1 wherein behind the mirror surface at least one loudspeaker is connected to the flat screen or display.	specification: page 2, lines 26-28 original claims: 7
80. The mirror according to claim 77 wherein behind the mirror surface at least one loudspeaker is connected to an input device.	4. The mirror according to claim 1 wherein behind the mirror surface at least one loudspeaker is connected to an input device.	specification: page 2, line 26 – page 3, line 1 original claims: 8
81. The mirror according to claim 77 wherein the flat screen or the display is connected to an input device.	5. The mirror according to claim 1 wherein the flat screen or the display is connected to an input device, optionally an external input device.	specification: page 3, lines 7-10 original claims: 9
82. The mirror according to claim 81 wherein the input device is optionally an external input device.		specification: page 5, lines 3-5 original claims: 10
83. The mirror according to claim 77 wherein the flat screen or the display is secured to strut means which are associated with the frame.	6. The mirror according to claim 1 wherein the flat screen or the display is secured to strut means which are associated with the frame.	specification: page 4, lines 28-31 original claims: 15
84. The mirror according to claim 79 wherein the loudspeaker is associated with a perforated region of the frame.	7. The mirror according to claim 3 wherein the loudspeaker is associated with a perforated region of the frame.	specification: page 5, lines 14-16 original claims: 16

85. The mirror according to claim 77 further with a radio receiver module for the moving image.	8. The mirror according to claim 1 wherein there is provided a radio receiver module for the image data.	specification: page 3, lines 26-27 original claims: 17
86. The mirror according to claim 77 further with an integrated remote operating means for volume control.	9. The mirror according to claim 1 wherein there is provided an integrated remote operating means for volume control, in particular an infra-red operating means.	specification: page 3, lines 24-26 original claims: 18
87. The mirror according to claim 86 wherein the integrated remote operating means is an infrared operating means.		

The pending claims are directed to a wall mirror comprising a number of elements in combination. As defined by claim 77, the claimed combination includes a non-reflective portion and a frame.

The non-reflective portion, as recited in claim 77, is provided within a reflective surface of the mirror as an information provider. At least a portion of the mirror surface is clear as glass or totally transparent and is backed by a flat screen or a color display. The flat screen or the display is provided with a moving image and is attached to the frame.

The frame, as recited in claim 77, has a flat frame structure. The mirror surface is either part of a mirror insert or mirror attachment. If part of a mirror insert, the mirror surface is associated with the frame to form a closed mirror interior. If part of a mirror attachment, the mirror surface is fitted onto the frame to form a closed mirror interior.

The Opposition Department of the European Patent Office ("EPO") examined this combination of claim elements against 18 prior art documents identified by an opposing party. These prior art documents were cited in the present application in an Information Disclosure Statement filed on November 16, 2007.

In the opposition proceeding, the EPO regarded JP-A-08-308 700 as the closest state of the art. This reference was understood as disclosing a mirror on the rear side of which is installed, in a partly transparent region, a TV set which shows pictures taken by a video camera.

It was found that claim 1 of the European counterpart patent – which corresponds to present claim 77 – differs from the known mirror in that a flat frame is provided, and the mirror surface is part of a mirror insert which is fixed to the frame to form a closed interior of the mirror, or the mirror surface is part of a mirror attachment which is mounted on the frame to form a closed interior of the mirror.

The EPO observed that the effect associated with the above-mentioned characteristics is that a flat, closed interior of the mirror is made possible, which can receive the flat screen or display. Consequently, the object of the invention was found to lie in providing an arrangement which is space-saving and at the same time easy to protect against unauthorized access.

It was recognized by the EPO that the characteristics of a flat frame structure, which with a mirror insert or mirror attachment forms a closed interior of the mirror, are known in the art from references GB 2 274 733 or US 4,747,223. However, the EPO found that it is not the use of a flat screen or electronic color display that is disclosed in these references, but rather only two-dimensional images or three-dimensional objects.

Accordingly, the EPO found that none of the cited art makes reference to mirrors with a flat screen or to an electronic color display which is fixed to a flat frame structure, and came to the conclusion that the claims met the requirements of the European Patent Convention (EPC).

Since a similar combination of the claimed elements is neither disclosed nor suggested by the cited references in the present application, Applicant respectfully submits that the pending claims are allowable over the cited art.


In view of the above, each of the claims is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding

rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **606682000100**.

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Respectfully submitted,

By 

Alex Chartove

Registration No.: 31,942
MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 400
McLean, Virginia 22102
(703) 760-7744

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